

§ 359.805 Appeals.

A career appointee who has been furloughed and who believes this subpart or the agency's procedures have not been correctly applied may appeal to the Merit Systems Protection Board under provisions of the Board's regulations.

§ 359.806 Notice.

(a) An appointee is entitled to a 30 days' advance written notice of a furlough. The full notice period may be shortened, or waived, only in the event of unforeseeable circumstances, such as sudden emergencies requiring immediate curtailment of activities.

(b) The written notice shall advise the appointee of:

(1) The reason for the agency decision to take the furlough action.

(2) The expected duration of the furlough and the effective dates;

(3) The basis for selecting the appointee for furlough when some but not all Senior Executive Service appointees in a given organizational unit are being furloughed;

(4) The reason if the notice period is less than 30 days;

(5) The place where the appointee may inspect the regulations and records pertinent to the action; and

(6) The appointee's appeal rights, including the time limit for the appeal and the location of the Merit Systems Protection Board office to which the appeal should be sent.

§ 359.807 Records.

The agency shall preserve all records relating to an action under this subpart for at least one year from the effective date of the action.

Subpart I—Removal of Noncareer and Limited Appointees and Reemployed Annuitants

§ 359.901 Coverage.

(a) This subpart covers the removal from the SES of—

(1) A noncareer appointee;

(2) A limited emergency or a limited term appointee; and

(3) A reemployed annuitant holding any type of appointment under the SES.

(b) Coverage does not include, however, a limited emergency or a limited term appointee who is being removed for disciplinary reasons and who is covered by 5 CFR 752.601(c)(2).

§ 359.902 Conditions of removal.

(a) *Authority.* The agency may remove an appointee subject to this subpart at any time.

(b) *Notice.* The agency shall notify the appointee in writing before the effective date of the removal.

(c) *Placement rights.* An appointee covered by this subpart is not entitled to the placement rights provided for career appointees under subpart G of this part.

(d) *Appeals.* Actions taken under this subpart are not appealable to the Merit Systems Protection Board under 5 U.S.C. 7701.

PART 362—PRESIDENTIAL MANAGEMENT INTERN PROGRAM

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Subpart A—Purpose, Definitions

§ 362.101 Purpose.

The Presidential Management Intern Program (PMIP), established by Executive Order 12008 on August 25, 1977, and reconstituted by Executive Order 12346 on May 24, 1982, is designed to attract to Federal service outstanding men and women from a variety of academic disciplines who have a clear interest in, and commitment to, a career in the

analysis and management of public policies and programs.

§ 362.102 Definitions.

Presidential Management Interns are individuals appointed in the excepted service, under § 213.3102(ii) of this chapter, in an executive agency or department. Such an individual must be a United States citizen who has completed a graduate course of study at a qualifying college or university, received the nomination of the dean or academic program director, passed on OPM-administered screening process, and been selected by an agency for a 2-year Presidential Management Internship.

Qualifying colleges or universities are accredited United States academic institutions with a graduate program applicable to the management or analysis of public programs and policies.

Subpart B—Program Administration

§ 362.201 Appointment.

(a) The appointment authority for Presidential Management Interns is § 213.3102(ii) of this chapter. Appointments under this authority cannot exceed 2 years unless extended by the Federal department or agency, with the concurrence of the U.S. Office of Personnel Management, for up to one additional year.

(b) Agencies need to assure that all graduate degree requirements have been met at the time of appointment. Interns may not be appointed prior to the *completion of all graduate degree requirements*. Exceptions may be made on an individual basis, but in no case will an intern be allowed to remain in the program if all degree requirements are not completed by August 31 of the year in which interns were selected as finalists.

(c) Finalists in the PMIP may be appointed following official announcement of their selection as finalists. *Appointments must be made no later than December 31 of the year in which the terms were selected as finalists*. Exceptions may be granted on a case by case basis upon request to the PMIP office no later than December 15.

(d) Initial appointments must be made at the grade GS-9, Step 1 level of the General Schedule. If an intern has had prior higher level Federal Government experience, that individual may be placed at higher step within grade GS-9 of the General Schedule. The appointment authority, § 213.3102(ii) of this chapter, authorizes Presidential Management Intern positions only at grades GS-9 and GS-11 of the General Schedule. Therefore, promotions above grade GS-11 can occur only on or after the date of conversion of the competitive service.

§ 362.202 Eligibility.

(a) *General*. Those eligible to be nominated for the Program are United States citizens completing or expecting to complete an advanced degree focusing on or applicable to the analysis or management of public policies and programs from an accredited United States college or university during the current *academic year*.

(b) *Nomination procedure*. (1) Students must be nominated by their school deans or academic program directors. Individuals who wish to be nominated must be rated by their schools as either qualified or not qualified for nomination and should be notified of their status by their schools. The school is obligated to devise a competitive nomination process which ensures that selection is determined on the basis of relative ability, knowledge and skills after fair and open competition which assures that all receive equal opportunity. All honorably discharged veterans with Federal veterans' preference entitlement who are in the qualified group must be nominated. Schools will need to determine which of the qualified individuals have Federal veterans' preference entitlement in order to ensure their nomination. These individuals must submit verification of their Federal veterans' preference entitlement along with their application to the PMIP Review Committee. Veterans who believe they meet their school's qualification requirements, but who are not nominated, have the right to appeal their non-nomination to the U.S. Office of Personnel Management.

(2) Selection of Program finalists is made by the Presidential Management

Intern Selection Committee based on selection process results.

§ 362.203 Extensions and Conversions of Presidential Management Internships.

(a) Federal agencies may request OPM approval for an extension of an internship for up to a 3rd and final year. The primary reason for extending an internship is to provide the intern with additional training and developmental activities.

(b) A written request to extend an internship should be submitted to the PMIP, no later than 60 days prior to the end of the initial 2-year period. This request must be sent to: U.S. Office of Personnel Management; Presidential Management Intern Program; 1400 Wilson Boulevard; Suite 1200, Arlington, VA 22209.

(c) Eligibility for conversion. Employees who have completed Presidential Management Internships are to be converted non-competitively to a career or career-conditional appointment for which they are qualified if all the following criteria are met:

(1) The employee has successfully competed a Presidential Management Internship at the time of conversion;

(2) The employee is recommended for conversion at least 90 calendar days before the completion of the internship. The agency decides whether or not to convert the employee. No recommendation is made to OPM. Agencies are asked to inform the PMIP, U.S. Office of Personnel Management, when an individual will not be converted.

(d) Effective date. Conversions will be effective on the date when the 2-year service requirement is met unless the internship is extended by the Federal department or agency, with the concurrence of the U.S. Office of Personnel Management, for up to one additional year.

(e)(1) Tenure acquired. Upon conversion, the employee becomes a career employee if the service requirements in § 315.708 of this chapter are met; otherwise, the employee becomes a career-conditional employee.

(2) The time-after-competitive-appointment restriction. This restriction, § 330.501 of this chapter, does not apply

to conversions under Executive Order 12364.

(f) Probationary period. Employees converted under this section do *not* have to serve a probationary period. Successful completion of the Presidential Management Internship is regarded as completion of the probationary period.

§ 362.204 Termination.

The appointment of a Presidential Management Intern under § 213.3102(ii) of this chapter expires at the end of the 2-year internship period. At that time, the employing agency may, with no break in service, convert the intern to the competitive service or extend the internship with prior approval from OPM. If neither of those actions is taken, the Presidential Management Intern appointment terminates.

§ 362.205 Resignation.

Interns who resign during their internship do not have reinstatement eligibility for competitive service positions and cannot be reinstated to the PMIP.

§ 362.206 Movement of interns between agencies.

If an intern wishes to change his or her employing agency during the internship, it is necessary to resign from the current agency and be rehired by the new employing agency under the PMIP appointment authority without a break in service.

§ 362.207 Career development.

(a) The U.S. Office of Personnel Management will provide career development and training programs for interns during the 2-year internship. The career development component of the PMIP includes an initial orientation seminar, conferences, seminars, periodic opportunities for special briefings and workshops, and a program at the end of the internship.

(b) Interns must participate fully in the PMIP orientation and educational programs, as well as seminars, workshops, and other programs throughout the 2-year internship.

§ 362.208 Agency duties.

Agencies must provide—

§ 410.101

(1) An orientation for interns which includes discussion of the agency's plans for interns, provides specific information on the functions and mission of the agency, and makes explicit the agency's expectations of interns;

(2) Individual development planning to ensure the intern gains professional and technical skills to qualify for a target upon conversion;

(3) A series of core assignments targeted to a functional area into which the intern is most likely to be converted.

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Subpart A—General Provisions

§ 410.101 Definitions.

In this part:

(a) *Agency, employee, Government, Government facility, and non-Government facility* have the meanings given these terms in section 4101 of title 5, United States Code.

(b) Exceptions to organizations and employees covered by this subpart include:

(1) Those named in section 4102 of title 5, United States Code, and

(2) The U.S. Postal Service and Postal Rate Commission and their employees, as provided in Pub. L. 91-375, enacted August 12, 1970.

(c) *Training* has the meaning given to the term in section 4101 of title 5, United States Code.

(d) *Mission-related training* is training that supports agency goals by improving organizational performance at any appropriate level in the agency, as determined by the head of the agency. This includes training that:

(1) Supports the agency's strategic plan and performance objectives;

(2) Improves an employee's current job performance;

(3) Allows for expansion or enhancement of an employee's current job;

(4) Enables an employee to perform needed or potentially needed duties outside the current job at the same level of responsibility; or

(5) Meets organizational needs in response to human resource plans and re-